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COUNTY OF LOS ANGELES, DEPUTY CRISTINA MARTINEZ,  
DEPUTY CASEY CHESHIER and DEPUTY ADAM PRUITT

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JAMES (JIM) OWENS, ..... ) Case No.: CV08-07116 DMG  
Plaintiff, ..... )  
vs. ..... )  
COUNTY OF LOS ANGELES, DEPUTY ) DECLARATION OF  
MARTINEZ, DEPUTY SHESHIRE, DOES ) CRISTINA MARTINEZ IN  
1-10, inclusive, ..... ) SUPPORT OF  
Defendants. ..... ) DEFENDANTS' MOTION  
Trial Date: October 4, 2010 ) FOR SUMMARY  
PTC Date: September 27, 2010 ) ADJUDICATION OF ISSUES

I, Cristina Martinez, declare as follows:

1. I am a defendant named in the above-entitled lawsuit. The following facts are of my personal knowledge, and if called as a witness, I could competently testify thereto.

2. I have been employed by the Los Angeles County Sheriff's Department ("LASD") since May 2000.

3. In December 2007, I was assigned as a Deputy to Lennox Station and currently hold that same position.

4. On December 15, 2007, at shortly after 11:00 p.m., Los Angeles County Sheriffs Department Lennox Station dispatch received a call from a resident of 4109

1 169th St. in Lawndale regarding suspicious males out in the street.

2 5. I responded to the location and observed Deputy Cheshier contacting a  
3 male next to a parked vehicle.

4 6. I also observed Deputy Pruitt speaking with a woman on the sidewalk.

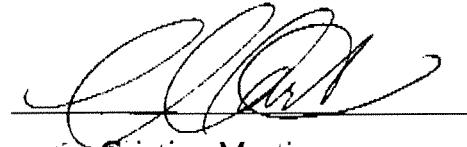
5 7. I did not have any verbal or physical interaction with Mr. Owens.

6 8. I believe that my actions, as well as those of Deputy Cheshier and  
7 Deputy Pruitt, during this encounter were reasonable and justified under the  
8 circumstances and did not violate any clearly established law.

9 9. At some point after this encounter, I was contacted by Lieutenant  
10 Bearse as part of an investigation of a citizen complaint arising out of this incident.  
11 Pursuant to his request, I prepared a memorandum regarding my involvement and  
12 observations. Attached hereto and incorporated by reference as Exhibit A is a true  
13 and correct copy of my correspondence to Lt. Bearse dated January 5, 2008.

14 I declare under penalty of perjury under the laws of the United States of  
15 America that the foregoing is true and correct.

16 Executed on this 19th day of July, 2010, at Los Angeles, California.

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19 Cristina Martinez

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## EXHIBIT "A"

781551N26A - SH-AU-32A (2/72) -

COUNTY OF LOS ANGELES  
SHERIFF'S DEPARTMENT

"A Tradition Of Service"

DATE: 01/05/08

FILE NO.

FROM: DEPUTY MARTINEZ, C. # 471267 TO: LIEUTENANT BEARSE

SUBJECT: 12-15-07 2336 HRS, TAG 163

ON 12-16-07, I RESPONDED TO THE 4100 BLOCK OF 169TH ST. (TAG 163) REGARDING A MAN ACTING SUSPICIOUSLY IN THE STREET CALL.

AS I ARRIVED I SAW DEP. CHESIER CONTACTING A MALE WHITE (LATER IDENTIFIED AS MR. OWENS) NEXT TO A PARKED VEHICLE. I WATCHED AS DEP. CHESIER CONDUCTED A CURSORY SEARCH OF MR. OWENS PERSON.

DEP. CHESIER THEN HAD MR. OWENS SIT IN THE REAR SEAT OF HIS PATROL VEHICLE WHILE HE CONDUCTED HIS INVESTIGATION. I STOOD NEXT TO DEP. CHESIER'S PATROL VEHICLE AS HE SPOKE TO MR. OWENS.

AFTER A FEW MINUTES, DEP. CHESIER COMPLETED HIS INVESTIGATION AND DETERMINED NO CRIME HAD OCCURRED. MR. OWEN'S EXITED THE PATROL VEHICLE AND GATHERED HIS PROPERTY.

A FEMALE WHITE CAME OUT OF 4147 169TH ST. AND STOOD ON THE SIDEWALK. I SAW DEPUTY PRUITT SPEAKING WITH HER AS DEPUTY CHESIER WAS TALKING TO MR. OWENS IN HIS PATROL VEHICLE.

AS DEP. CHESIER EXITED HIS VEHICLE THE FEMALE CONTACTED HIM. SHE IDENTIFIED HERSELF AS MR. OWEN'S GIRLFRIEND AND WANTED TO KNOW WHAT WAS GOING ON. DEP. CHESIER EXPLAINED TO BOTH OF THEM THE NATURE OF THE CALL AND WHAT HE SAW UPON HIS ARRIVAL.

MR. OWEN'S AND HIS GIRLFRIEND HAD NO ADDITIONAL QUESTIONS OR COMPLAINTS AND WE LEFT THE SCENE WITHOUT INCIDENT.